

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CALEB PADILLA, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

COMMUNITY HEALTH SYSTEMS, INC.,
WAYNE T. SMITH, LARRY CASH, and
THOMAS J. AARON,

Defendants.

Case No.: 3:19-cv-00461

DISTRICT JUDGE ELI J. RICHARDSON

MAGISTRATE JUDGE BARBARA D.
HOLMES

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

Court-appointed Lead Plaintiffs and proposed class representatives Arun Bhattacharya and Michael Gaviria (collectively, "Plaintiffs"), individually and on behalf of the proposed Settlement Class, move this Court for preliminary approval of the proposed Settlement in this securities class action (the "Action"). As set forth more fully in their concurrently-filed Memorandum of Law, Plaintiffs state as follows:

1. The proposed Settlement meets the standards for preliminary approval;
2. The factors considered in the Sixth Circuit when determining final approval also support preliminary approval of the proposed Settlement;
3. The proposed Notice program is appropriate;
4. The proposed Settlement Class meets each of the criteria for class certification under Rule 23 and, accordingly, should be certified for purposes of Settlement; and
5. Defendants do not oppose the relief sought herein.

WHEREFORE, Plaintiffs respectfully request that the Court grant preliminary approval and enter the [Proposed] Order Preliminarily Approving Settlement and Providing for Notice attached to the Stipulation and Agreement of Settlement dated May 19, 2023 as internal Exhibit (“Ex.”) A (*see* Declaration of Joshua B. Silverman in Support of Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement, filed herewith, at Ex. 1) and submitted electronically in accordance with this Court’s case management procedures.

Dated: May 26, 2023

POMERANTZ LLP

By: /s/ Louis C. Ludwig

Joshua B. Silverman (admitted *Pro Hac Vice*)
Louis C. Ludwig (admitted *Pro Hac Vice*)
10 South LaSalle Street, Suite 3505
Chicago, Illinois 60603
Telephone: (312) 377-1181
Facsimile: (312) 229-8811
jbsilverman@pomlaw.com
lcludwig@pomlaw.com

GLANCY PRONGAY & MURRAY LLP

Robert V. Prongay (admitted *Pro Hac Vice*)
Casey E. Sadler (admitted *Pro Hac Vice*)
Melissa C. Wright (admitted *Pro Hac Vice*)
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
rprongay@glancylaw.com
csadler@glancylaw.com
mwright@glancylaw.com

*Lead Counsel for Plaintiffs and the
Proposed Settlement Class*

**BRANSTETTER, STRANCH &
JENNINGS, PLLC**

J. Gerard Stranch, IV (BPR #023045)
223 Rosa L. Parks Avenue, Suite 200
Nashville, Tennessee 37203
Telephone: (615) 254-8801

Facsimile: (615) 255-5419
gerards@bsjfirm.com

*Liaison Counsel for Plaintiffs and the
Proposed Settlement Class*

CERTIFICATE OF SERVICE

I hereby certify that, on this 26th day of May, 2023, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Steven A. Riley (BPR #006258)
Milton S. McGee, III (BPR #024150)
Joshua S. Bolian (BPR #040140)
Riley & Jacobson, Plc
1906 West End Avenue
Nashville, TN 37203

J. Gerard Stranch, IV
Branstetter, Stranch & Jennings, PLLC
The Freedom Center
223 Rosa L. Parks Avenue, Suite 200
Nashville, TN 37203

J. Alexander Hood
Jeremy Lieberman
Pomerantz, LLP
600 Third Avenue, 20th Floor
New York, NY 10016

Joshua B. Silverman
Louis C. Ludwig
Pomerantz, LLP
10 S. LaSalle Street, Suite 3505
Chicago, IL 60603

Lionel Z. Glancy
Robert V. Prongay
Charles H. Linehan
Pavithra Rajesh
Melissa C. Wright
Casey E. Sadler
Glancy Prongay & Murray LLP
1925 Century Park East, Suite 2100
Los Angeles, CA 90067

/s/ Louis C. Ludwig